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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/976,674 | 10/12/2001 | Steve Oi | 70669 |

22242
FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 606033406



CONFIRMATION NO. 1084
FORMALITIES LETTER



OC000000007084529

Date Mailed: 11/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

02/07/2002 00:37:41 PM X0004 1.136 JAF/PL

Filing Date Granted

01 FO1001
02 FO1002
03 FO1003

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$18.
 - \$18 for 1 total claims over 20.
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 888.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

H4

sector f

Applicants: Steve Qi et al.

Application No.: 09/976,674

Filed: 10/12/2001

Title: NOVEL SERINE PROTEASE GENES
RELATED TO DPPIV

Attorney Docket No.: 70669



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Group Art Unit:
1643

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Attention: Box Missing Parts

Sir:

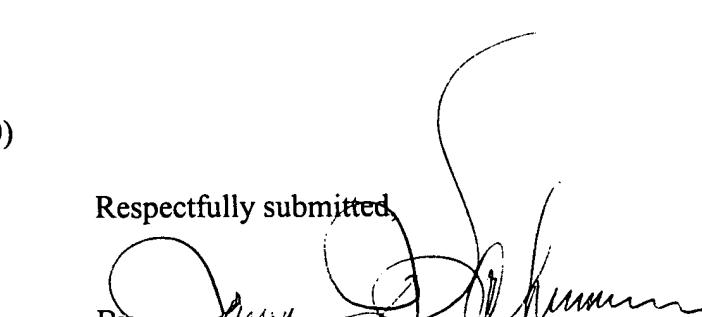
This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(f). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- (X) Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventor executed by signing the enclosed declaration.
- (X) Statutory basic filing fee (X) Utility () Design
- (X) Fee transmittal for FY 2002
- (X) Additional claim fees of \$18.00
- (X) Missing Parts Surcharge \$130.00
- () A Petition for Extension of Time for reply to Notice of Missing Parts is attached.
 - () one month (\$110.00)
 - () two months (\$400.00)
 - () three months (\$920.00)
 - () four months (\$1,440.00)

Respectfully submitted,

By

JM


James Schumann
Fitch, Even, Tabin & Flannery
Reg. No. 20,856
Date: January 15, 2002
Telephone No.: 858-552-1311

FEB 05 2002
U.S. PATENT & TRADEMARK OFFICE
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OPIE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fee Transmittal for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 928.00)

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/976,674 |
| Filing Date | October 12, 2001 |
| First Named Inventor | Steve Qi |
| Examiner Name | TBD |
| Group Art Unit | 1643 |
| Attorney Docket No. | 70669 |

| METHOD OF PAYMENT | | | |
|--|-------------------------------|-------------|-------|
| 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: | | | |
| Deposit Account Number | 06-1135 | | |
| Deposit Account Name | Fitch, Even, Tabin & Flannery | | |
| <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 | | | |
| Applicant claims small entity status. See 37 CFR 1.27 | | | |
| 2. <input type="checkbox"/> Payment Enclosed: | | | |
| Check | Credit card | Money Order | Other |

| FEE CALCULATION | | | | | |
|---------------------|----------|--------------|----------|------------------------|------------|
| 1. BASIC FILING FEE | | | | | |
| Large Entity | | Small Entity | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | |
| 101 | 740 | 201 | 370 | Utility filing fee | |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |
| | | | | SUBTOTAL (1) | (\$740.00) |

| 2. EXTRA CLAIM FEES | | | | | |
|---------------------------|----------|--------------|----------|--|-----------|
| Total Claims | | Extra Claims | | Fee from below | Fee Paid |
| 21 | -20**= | 1 | X | 18.00 | = 18.00 |
| Independent Claims | | 2 | -3**= | 0 | = 0 |
| Multiple Dependent | | | | 0 | = 0 |
| | | | | | |
| Large Entity Small Entity | | | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 | |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 | |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid | |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent | |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| | | | | SUBTOTAL (2) | (\$18.00) |

**or number previously paid, if greater; For Reissues, see above

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-----------------------------------|----------|----------|----------|--|------------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 130.00 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | SUBTOTAL (3) | (\$170.00) |

| | | | | | |
|-------------------|--------------------|--------------------------------------|--------|-----------|------------------|
| SUBMITTED BY | | Complete (if applicable) | | | |
| Name (Print/Type) | James J. Schurmann | Registration No. (Attorney/Agent) | 20,856 | Telephone | 858-552-1311 |
| Signature | James J. Schurmann | | | Date | January 15, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Please type a plus sign (+) inside this box → +

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PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|--|-------------------------------|------------------|
| | | Application Number | 09/976,674 |
| | | Filing Date | October 12, 2001 |
| | | First Named Inventor | Steve Qi |
| | | Group Art Unit | 1643 |
| | | Examiner Name | TBD |
| Total Number of Pages in This Submission | | Attorney Docket Number | 70669 |

ENCLOSURES (check all that apply)

| | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i> | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Executed Declaration For Utility Patent Application and Power of Attorney |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-----------------|------------------------------------|
| Individual name | James J. Schumann, Reg. No. 20,856 |
| Signature | |
| Date | January 15, 2002 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, Attention: Box January 15, 2002
Missing Parts, on this date:

| | |
|-----------------------|-------------------|
| Typed or printed name | James J. Schumann |
| Signature | |
| Date | January 15, 2002 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.